

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GREAT AMERICAN INSURANCE
COMPANY OF NEW YORK,

Plaintiff,

NORTH AMERICAN SPECIALTY INSURANCE COMPANY.

Defendant.

Case No.: 3:06-CV-00136-LRH-RAM

**STIPULATION AND ORDER TO
EXTEND TIME TO FILE JOINT PRE-
TRIAL ORDER**

19 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff GREAT
20 AMERICAN INSURANCE COMPANY OF NEW YORK's ("GAIC") attorneys of record, Duane
21 Morris LLP, and Defendant NORTH AMERICAN SPECIALTY INSURANCE COMPANY's
22 ("NAS") attorneys of record, Ryan Mercaldo & Worthington LLP, that the deadline to file the Joint
23 Pre-trial Order, currently scheduled for March 13, 2008, be extended to May 13, 2008. The Court
24 recently ruled on the parties' motions for summary judgment, holding, in part, that NAS has a duty
25 to defend the parties' mutual insured in the underlying construction-defect litigation. The amount of
26 NAS' contribution and reimbursement to GAIC for past defense costs incurred in the underlying
27 action still remains for trial. In light of the Court's order, the parties are actively engaged in
28 settlement negotiations, and a trial of this action may thus be unnecessary.

1 Therefore, in light of the Court's order on the parties' motions for summary judgment and the
2 parties' on-going settlement discussions, the parties stipulate and agree to extend the deadline to file
3 the Joint Pre-trial order to **May 13, 2008**. This is the parties' first request to extend the deadline for
4 the Joint Pre-Trial Order.

5 DATED: March 5, 2008

6 DUANE MORRIS LLP

7 By:

8 Dominica C. Anderson (SBN 2988)
9 Jennifer D. McKee (SBN 9624)
Ryan A. Loosvelt (SBN 8550)

10 Attorneys for Plaintiff GREAT AMERICAN
11 INSURANCE COMPANY OF NEW YORK

12 DATED: March 5, 2008

13 RYAN MERCALDO & WORTHINGTON, LLP.

14 By:

15 Brian P. Worthington (SBN 006179)
16 Ryan M. Venci (SBN 007547)

17 Attorneys for Defendant NORTH AMERICAN
18 CAPACITY INSURANCE COMPANY

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21 **O R D E R**

22 Pursuant to stipulation of the parties and good cause appearing,

23 IT IS SO ORDERED that the deadline to file the Joint Pre-trial Order is rescheduled for
24 May 13, 2008.

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27 LARRY R. HICKS
28 UNITED STATES DISTRICT JUDGE
DATED: March 6, 2008